

## REMARKS

This application has been carefully reviewed in light of the Office Action dated September 27, 2004. Claims 1 to 11 and 13 to 20 are pending in the application, of which Claims 1, 6 to 8, 13 to 15, 19 and 20 are independent. Reconsideration and further examination are respectfully requested.

Initially, Applicant thanks the Examiner for the indication that Claim 12 contains allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1, 2, 4, 6, 7, 10 and 17 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,388,765 (Nagano) in view of U.S. Patent No. 6,480,297 (Suzuki); Claims 15, 16 and 18 to 20 were rejected under 35 U.S.C. § 103(a) over Nagano in view of U.S. Patent No. 6,785,013 (Ota); Claims 3 and 5 were rejected under 35 U.S.C. § 103(a) over Nagano and Suzuki in view of Ota; Claims 8, 9, 13 and 14 were rejected under 35 U.S.C. § 103(a) over Nagano in view of U.S. Patent No. RE37,272 (Ochi); and Claim 11 was rejected under 35 U.S.C. § 103(a) over Nagano and Ochi in view of Ota. Reconsideration and withdrawal of these rejections are respectfully requested.

The present invention concerns a data processing system used to create a file having pages of information. Each page includes information on whether or not a next page exists in the file or if the page is the last in the file. An error correction mechanism is used to detect if the file is incomplete because the file generation process was interrupted. If so, appropriate end of file information is added to the file before transmission of the file to another data processing system. These features allow the created file to have the correct format even if

the file creation was interrupted, thus allowing the receiver of the file to handle the file correctly as an appropriate file even if the received file is an incomplete file.

Turning now to specific claim language, amended independent Claim 1 is directed to a data processing apparatus including an input unit adapted to input data and a creation unit adapted to create a file based on the data input by said input unit, the file having a plurality of pages and including a page attribute and either information indicating that a next page exists or end information representing an end of data for each page of the plurality of pages. A transmission unit is adapted to transmit the file created by said creation unit. An addition unit, is adapted to, when file creation by said creation unit is interrupted, add end information in spite of an incomplete file creation by said creating unit wherein when file creation by said creation unit is interrupted, said transmission unit transmits the file having the end information added by said addition unit.

In contrast, Nagano discloses transferring a page alignment code to print processing unit 33 if unique code detection unit 32 detects a unique code. The unique code, however, does not indicate either that a next page exists or an end of data but instead indicates a page alignment.

Furthermore, Suzuki discloses interrupting an image forming process in response to an interrupt request. However, Suzuki is silent about what type of file is created, much less creating a single file having a plurality of pages and including a page attribute and either information indicating that a next page exists or end information representing an end of data for each page of the plurality of pages.

Finally, Ota discloses creating a TIFF file based on input data. Ota, however, is silent about creating a single file including either information indicating that a next page exists or end information representing an end of data.

As the cited references, neither alone nor in combination, neither disclose nor suggest at least the feature of adding either information indicating a next page exists or end information representing an end of the data, Applicant submits that amended independent Claim 1 is now in condition for allowance and respectfully requests same.

Amended independent Claims 6 and 7 are directed to a method and a computer readable program, respectively, implementing the features of the data processing apparatus of amended independent Claim 1. Accordingly, Applicant submits that the discussion from above in regard to Claim 1 applies equally to Claims 6 and 7. Therefore, Applicant submits that amended independent Claims 6 and 7 are also in condition for allowance and respectfully requests same.

Amended independent Claim 8 has been amended to include the features of objected to Claim 12 and to clarify that addition is performed in a case where a creation unit creates the file based on the data input by an input unit. In addition, Claim 12 has been canceled. Applicant submits that Claim 8 is now in condition for allowance and respectfully requests same.

Amended independent Claims 13 and 14 are directed to a method and a computer readable program, respectively, implementing the features of the data processing apparatus of amended independent Claim 8. Accordingly, Applicant submits that the discussion from above in regard to Claim 8 applies equally to Claims 13 and 14. Therefore, Applicant submits that amended independent Claims 13 and 14 are also in condition for allowance and respectfully requests same.

Independent Claim 15 has been amended to include features corresponding substantially to amended Claim 1. Specifically, the creation unit of amended Claim 15 now includes the feature of adding either information indicating that a next page exists or end information representing an end of the data to each page. Applicant submits that the discussion from above in regard to amended Claim 1 applies equally to amended Claim 15. Therefore, Applicant believes amended independent Claim 15 is now in condition for allowance and respectfully requests same.

Amended independent Claims 19 and 20 are directed to a method and a computer readable program, respectively, implementing the features of the data processing apparatus of amended independent Claim 15. Accordingly, Applicant submits that the discussion from above in regard to Claim 15 applies equally to Claims 19 and 20. Therefore, Applicant submits that amended independent Claims 19 and 20 are also in condition for allowance and respectfully requests same.

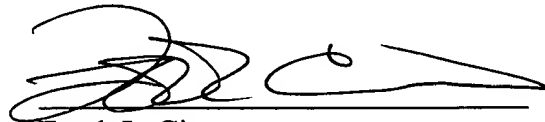
The foregoing actions have been taken without prejudice or disclaimer of subject matter and without conceding the correctness of the rejections, and merely to obtain an earlier allowance.

With reference to the remarks made above, Applicant submits that all the independent claims presented in the application are in condition for allowance. The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each dependent claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank L. Cire', written over a horizontal line.

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